

This record is a partial extract of the original cable. The full text of the original cable is not available.

2000HANOI02580 - UNCLASSIFIED

UNCLASSIFIED PTO5833

PAGE 01 HANOI 02580 280819Z
ACTION EAP-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	ACQ-00	CIAE-00	C-00
	DODE-00	DOEE-00	SRPP-00	DS-00	FBIE-00	UTED-00	VC-00
	H-01	TEDE-00	INR-00	L-00	VCE-00	MOFM-04	MOF-03
	AC-01	NRRC-00	NSAE-00	NSCE-00	OES-01	OMB-01	PA-00
	PM-00	PRS-00	ACE-00	P-00	SP-00	SS-00	TRSE-00
	T-00	USIE-00	SSD-00	PMB-00	DSCC-00	DRL-02	G-00
	NFAT-00	SAS-00	/013W				

-----A48A01 280819Z /38

FM AMEMBASSY HANOI
TO SECSTATE WASHDC PRIORITY 1398
INFO AMCONSUL HO CHI MINH CITY
ASEAN COLLECTIVE

UNCLAS HANOI 002580

SIPDIS

STATE FOR EAP/BCLTV, EAP/RSP, INR/EAP/SEA

E.O. 12958: N/A

TAGS: [PREL](#) [PARM](#) [VM](#) [CH](#) [ASEAN](#)

SUBJECT: INFORMAL VIETNAMESE RESPONSE TO U.S. QUERIES ON ASEAN SEANWFZ NON-PAPER

REF: STATE 214888

1. POLOFF MET NOVEMBER 28 WITH MFA ASEAN DEPARTMENT
SEANWFZ EXPERT TRAN DUC BINH TO DISCUSS REFTEL QUESTIONS.
UNCLASSIFIED

PAGE 02 HANOI 02580 280819Z
BINH SHARED THE FOLLOWING VIEWS, KEYED TO REFTEL POINTS:

2. SOVEREIGNTY: BINH STATED DEFINITELY THAT ASEAN'S REJECTION OF THE PROPOSED P-4 CLARIFICATIONS WAS NOT BASED ON OVERT OBJECTIONS FROM CHINA. ASEAN DOES NOT HAVE CHINA'S VIEWS ON THIS POINT; IT IS THE ASEAN VIEW, HOWEVER, THAT ARTICLE 3 SHOULD STAND AS AGREED BETWEEN ASEAN AND CHINA FOR CHINA'S SAKE. (NOTE: THE LINE BETWEEN ACTIVE CHINESE OPPOSITION AND ASEAN ANTICIPATION OF CHINESE OPPOSITION IS A VERY FINELY DRAWN ONE. ASEAN'S APPARENT SENSITIVITIES TO CHINESE VIEWS MAY OBIVIATE THE NEED FOR FORMAL STATEMENTS. END NOTE.)

3. BINH EXPLAINED THAT ASEAN'S PROPOSED ARTICLE 3 WAS FORMULATED TO ADDRESS CHINA'S SPECIFIC CONCERNS ABOUT SOVEREIGNTY OVER CONTINENTAL SHELVES AND EXCLUSIVE ECONOMIC ZONES IN THE SOUTH CHINA SEA. ASEAN AND CHINA ARRIVED AT THEIR AGREED TEXT BASED ON NEW PROPOSALS FROM CHINA, AND THE MARCH P-4 DEMARCHE ARRIVED AFTER AGREEMENT HAD ALREADY BEEN REACHED BASED ON THE NEW LANGUAGE. ESSENTIALLY, ASEAN VIEWED THE P-4 PROPOSAL AS A RETREAT TO OLDER GROUND. POLOFF EMPHASIZED THAT OUR CONCERN ON THIS PORTION OF THE TEXT IS SIMPLY CLARITY OF LANGUAGE, A POINT BINH TOOK ON BOARD.

3. ZONE OF APPLICATION: BINH BELIEVED ASEAN'S BASIC STANCE ON THIS ISSUE IS THAT THE PROPOSED ADDITION WOULD UNDERMINE THE STRENGTH OF THE SOVEREIGNTY ARTICLE AS AGREED BETWEEN ASEAN AND CHINA. HE ALSO REPEATED ASEAN'S VIEW THAT ELIMINATION OF THE SECOND SENTENCE ON NEGATIVE SECURITY ASSURANCE SHOULD MEET P-4 CONCERNS OVER ZONE OF APPLICATION.
UNCLASSIFIED

PAGE 03 HANOI 02580 280819Z
POLOFF ASKED FOR THE STATUS OF ASEAN DELIBERATIONS OVER DELETION OF THE SECOND SENTENCE, AND BINH SAID HE BELIEVED ASEAN IS "CONSIDERING POSITIVELY" DELETION OF THE SENTENCE - AS PART OF A LARGER PACKAGE WHICH INCLUDES RETENTION OF THE BEIJING-APPROVED SOVEREIGNTY ARTICLE AND NO NEW LANGUAGE ON ZONE OF APPLICATION (ESSENTIALLY A RESTATEMENT OF THE NON-PAPER POSITION). BINH DID NOTE THAT ASEAN MAY BE WILLING TO CONSIDER SOME ALTERNATIVE LANGUAGE FOR THE SOVEREIGNTY ARTICLE TO ADDRESS CLARITY CONCERNS.

4. TRANSIT RIGHTS: BINH SAID THAT ASEAN HAS SEVERAL ALTERNATIVES ON THE TABLE NOW. MEMBER STATES ARE CONSULTING ON THE ALTERNATIVES IN THEIR CAPITALS, TO BE FOLLOWED BY FURTHER CONSULTATION BY ASEAN AS A WHOLE. WHEN THE RESULTS ARE IN, ASEAN WILL FORWARD THEM FOR P-4 CONSIDERATION. BINH EXPECTED THIS TO BE WELL IN ADVANCE OF THE PROPOSED MARCH GROUP CONSULTATIONS, POSSIBLY EARLY FEBRUARY. HE DECLINED TO GIVE ANY VIEWS AT THIS POINT ON WHAT ALTERNATIVE LANGUAGE MIGHT BE.

15. RULES OF PROCEDURE: BINH UNDERTOOK TO CONSULT WITH HIS OFFICE BUT EXPECTED NO DIFFICULTY IN PASSING A COPY OF THE RULES TO US.

16. POLOFF LEFT A COPY OF REFTEL QUESTIONS WITH BINH, AND HE PROMISED TO FORWARD ANY ADDITIONAL FEEDBACK HIS DEPARTMENT MIGHT BE ABLE TO PROVIDE. HE UNDERTOOK TO GET MORE DETAILS SPECIFICALLY ON THE ISSUE OF ZONE OF APPLICATION, ON WHICH TOPIC HE WAS DISSATISFIED WITH HIS OWN EXPLANATIONS. EMBASSY WILL ALSO FORWARD A COPY OF THE RULES OF PROCEDURE WHEN OBTAINED.

UNCLASSIFIED

PAGE 04 HANOI 02580 280819Z

PETERSON

UNCLASSIFIED